

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gagnon *et al.*

Application No. 10/528,542

Filed: November 28, 2005

Confirmation No. 3811

For: GD2 LIGANDS

Examiner: Hugh Parker Young

Art Unit: 1654

Attorney Reference No. 4810-70826-01

FILED VIA EFS

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UNITED STATES PATENT AND TRADEMARK OFFICE

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

This is filed in response to the Office action dated November 20, 2006. A one-month period for response was set, making a response due on or before December 20, 2006. Applicants hereby petition for a five-month extension of time, making a response due no later than **May 20, 2007**. The Commissioner is hereby authorized to take the five-month extension fee (\$1,080.00 for a small entity) via EFS; if the Commissioner concludes that additional fees are required, please charge any such necessary fees to Deposit Account 02-4550.

Applicants are making no changes to the claims at this time, and so no Listing of Claims is included.

Election

Applicants hereby elect Examiner's Group I (claims 27-32 and 46-49, drawn to a GD2 ligand of Formulas I-II and compositions comprising the ligand).

Of the elected claims, the Office has indicated that claims 27 and 28 are generic with regard to the genus of GD2 ligands. From among species encompassed by these generic claims, the Office has required that Applicants elect a single species for initial prosecution. In accordance with that requirement, Applicants elect the peptide species GGITNYNSALM. This

species is encompassed in at least all of the elected claims. Upon allowance of a generic claim (*e.g.*, either claim 27 or 28), Applicants understand that additional species which depend from or otherwise require all the limitations of an allowable generic claim will be examined in the current case.

Applicants have elected a Group that encompasses products, and therefore thank the Examiner for acknowledging that process claims that depend from or otherwise include all the limitations of a patentable product will be entered as a matter of right and examined in this case.

Applicants reserve the right to pursue the subject matter of any non-elected subject matter in a related application.

Examiner Young is invited to telephone the undersigned if any questions remain concerning the requirement for restriction, or the comments made herein. Otherwise, the present application is ready for substantive examination, and such action is requested.

Respectfully submitted,

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